

UNITED STATES DEPARTMENT OF AGRICULTURE  
ANIMAL AND PLANT HEALTH INSPECTION SERVICE



OFFICIAL WARNING  
VIOLATION OF FEDERAL REGULATIONS

CASE NO.  
**AL11008-AC**

VIOLATOR  
Herbert Murrath

ADDRESS (Street, City, State, Zip Code)  
1617 Silver Hill Road  
Stone Mountain, GA 30083

The U.S. Department of Agriculture has evidence that on or about the date(s) listed below, you or your organization committed the following violation(s) of Federal law:

Date of Violation: August 24, 2012

**15 U.S.C. § 1824(2) – Unlawful acts**

“The (A) showing or exhibiting, in any horse show or horse exhibition, of any horse which is sore, (B) entering for the purpose of showing or exhibiting in any horse show or horse exhibition, any horse which is sore, (C) selling, auctioning, or offering for sale, in any horse sale or auction, any horse which is sore, and (D) allowing any activity described in clause (A), (B), or (C) respecting a horse which is sore by the owner of such horse.”

**9 C.F.R. § 11.3 – Scar rule**

“The scar rule applies to all horses born on or after October 1, 1975. Horses subject to this rule that do not meet the...scar rule criteria shall be considered to be “sore” and are subject to all prohibitions of...the Act.”

Herbert Murrath allowed the showing of a horse, “He’s Unleashed” in the in the 74<sup>th</sup> Tennessee Walking Horse National Celebration in Shelbyville, Tennessee, which was found sore in violation of the scar rule.

Titles 7 & 9 Code of Federal Regulations were promulgated to help prevent the spread of animal and plant pests and diseases and assure the humane treatment of animals. Since the violations of the regulations can have serious and costly impact detrimental to the public interest, you are warned of this violation. Any further violation of these regulations may result in the assessment of a civil penalty or criminal prosecution. If you have any questions concerning this warning or violation, please contact the listed APHIS official.

APHIS OFFICIAL (Name, Title)

Dr. Chester A. Gipson  
Deputy Administrator

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DATE ISSUED  
2/14/2012

OFFICE ADDRESS:

4700 River Road  
Riverdale, MD 20737

TELEPHONE NO.  
(301) 851-3751

FOR PERSONAL SERVICE - RECEIVED BY: (Name and signature)

DATE RECEIVED:

FOR CERTIFIED MAIL - RECEIPT NO: